

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Private Aided Junior Colleges – Hon'ble High Court – Implementation of the orders dated 26-02-2010 in W.P.No.9441 of 2005 filed by Smt.M.Sree Devi, Junior Lecturer (unaided) in Mathematics, Dr.B.R.Ambedkar Memorial Junior College, Tenali, Guntur District for admission into Grant-in-Aid post – Orders - Issued.

---

HIGHER EDUCATION (I.E.II) DEPARTMENT

G.O.Ms.No. 16

Dated:12-03-2013

Read the following:-

- 1) Hon'ble High Court of A.P., orders dated 26-02-2010 in W.P.No.9441 of 2005.
- 2) From the Director of Intermediate Education, A.P., Hyderabad Lr.Rc.No. Admn.I-B-2/1050/2009, dated 31-3-2010.
- 3) Govt.Memo No.4446/IE.II-1/2010, dated 02-07-2010.
- 4) Contempt Case No.923 of 2010 filed by Smt.M.Sree Devi, Junior Lecturer (unaided) in Maths, Dr.B.R.Ambedkar Memorial Junior College, Tenali, Guntur District.
- 5) Hon'ble High Court of A.P., interim orders dated 15-12-2010 in W.A.No.851 of 2010.
- 6) Hon'ble High Court of A.P., orders dated 06-06-2011 in C.C.No.923 of 2010.
- 7) Hon'ble High Court of A.P. orders dated 15-2-2012 in W.A.No.851 of 2010.
- 8) From the Commissioner of Intermediate Education, A.P., Hyderabad Lr.Rc.No.Admn.I-B-2/1050/2009, dt. 02-05-2012.
- 9) Govt.Memo No.4446/IE.II-1/2010, dated 06-07-2012.
- 10) Contempt Case No.953 of 2012 filed by Smt.M.Sree Devi, Junior Lecturer (unaided) in Maths, Dr.B.R.Ambedkar Memorial Junior College, Tenali, Guntur District.
- 11) S.L.P.No.19308 of 2012 filed by Commissioner of Intermediate Education, A.P., Hyderabad before the Hon'ble Supreme Court of India.
- 12) From the Commissioner of Intermediate Education, A.P., Hyderabad Lr.Rc.No.Admn.I-B-2/1050/2009, dt. 26-2-2013.

-X-X-X-

**ORDER:**

In the reference 2<sup>nd</sup> read above, the Director of Intermediate Education, A.P., Hyderabad has stated that while submitting proposals in respect of Smt. M. Sreedevi, as Junior Lecturer in Mathematics, Dr.B.R.A.M. Junior College, Tenali, Guntur District for approval her selection and admit her name into Grant-in-Aid, the Correspondent has stated that Dr.B.R.A.M. Junior College, Tenali is a Christian Minority Institution established in the year 1981. The College was admitted into Grant-in-Aid with effect from 16.4.1990. As the college is catering to students from more than three Districts, it was necessary for the management to start some extra sections. As increased workload required more teaching staff, as such interviews were conducted for various Departments and the selected candidates were appointed. In the same manner notification was given for the 4<sup>th</sup> post in the Maths Department on 5.5.1994 and Selection Committee was constituted in compliance with the then existing rules for the recruitment of Junior Lecturers in Minority Institutions. In that interview Smt.M.Sreedevi, a woman candidate belong to the Christian Minority was selected and appointed with effect from 15.6.1994 and she joined to duty on 15.6.1994 and has been continuing in the service since then. The proposal was examined and action of the management was rejected vide Director of Intermediate Education's Rc.No.Admn.I-B-2/1050/1999, dated 12-5-2004 as the admission into grant-in-aid cannot be considered as per rules, since she is an unaided Junior Lecturer.

2. Aggrieved by the above orders, Smt. M. Sreedevi, Junior Lecturer in Mathematics(unaided), Dr. B. R.A.M. Junior College, Tenali, Guntur District has filed W.P.No.9441 of 2005 in the Hon'ble High Court and the Hon'ble Court has passed orders in the reference 1<sup>st</sup> read above, as follows.

**"The impugned order dated 12.5.2004 passed by the DIE is therefore set aside. The Respondents are hereby directed to reconsider the case of the petitioner for regularization of her services and for her absorption in the aided post of Junior Lecturer in the third Respondent college w.e.f. 9.12.1994 on par with Mohd. Ayazuddin, the other Junior Lecturer in Maths with all consequential benefits. This exercise shall be completed within a period of two months from the date of receipt of a copy of the order"**

3. In the reference 3<sup>rd</sup> read above, the Director of Intermediate Education, A.P. Hyderabad was requested to file appeal against the above Hon'ble High Court orders.

4. In the meanwhile Smt.M.Sreedevi, Junior Lecturer in Mathematics (unaided), Dr. B.R.A.M. Junior College, Tenali, Guntur District has filed Contempt Case No.923 of 2010 for non-implementation of Hon'ble High Court orders dated 26-2-2010 in W.P.No.9441 of 2005.

5. With reference to the interim orders of Hon'ble High Court Division Bench in the reference 5<sup>th</sup> read above, the Contempt Case No.923 of 2010 was dismissed in the reference 6<sup>th</sup> read above. However, the Division Bench of Hon'ble High Court has dismissed the Writ Appeal No.851 of 2010 in the reference 7<sup>th</sup> read above. The Commissioner of Intermediate Education has requested the Government for permission to file S.L.P. in the reference 8<sup>th</sup> read above. Accordingly, the Government has permitted the Commissioner of Intermediate Education to file S.L.P. against the Hon'ble High Court orders dated 15-2-2012 in W.A.No.851 of 2010 in the reference 9<sup>th</sup> read above.

6. In the reference 10<sup>th</sup> read above, Smt.M.Sreedevi, Junior Lecturer in Mathematics(unaided), Dr.B.R.A.M.Junior College, Tenali, Guntur District has again filed Contempt Case No.953 of 2010 for not implementing the Hon'ble High Court orders dated 26-2-2010 in W.P.No.9441 of 2005, which was confirmed in W.A.No.851 of 2010 dated 25-2-2012.

7. In the reference 11<sup>th</sup> read above, as per orders of the Government, the Commissioner of Intermediate Education, A.P., Hyderabad has filed S.L.P.No.19308 of 2012 against the orders of Hon'ble High Court dated 26-2-2010 in W.P.No.9441 of 2005, which is still pending.

8. In the reference 12<sup>th</sup> read above, the Commissioner of Intermediate Education, A.P., Hyderabad has stated that a SLP. No.19308 of 2012 against orders dated 26-2-2010 in W.P.No.9441 of 2005 and which were confirmed in W.A.No.851 of 2010, dated 25-2-2012 was filed in Supreme Court and it is still pending. During the telephonic talk with the Advocate-on-Record for Hon'ble Supreme Court, he was informed of the Contempt Case position in the Hon'ble High Court. He requested to get (4) weeks time from the High Court in the Contempt Case. The Commissioner of Intermediate Education has further stated that the Govt.Pleader in his letter dated 28-11-2012 has also stated that the Court has also directed to comply with its orders in the event of not receiving stay orders from the Hon'ble Supreme Court and the C.C.No.953 of 2012 is posted on 15-2-2013. On 15-2-2013, the Hon'ble High Court have granted one month time for complying with its orders and posted the case on 15-3-2013. An S.L.P. is filed in Hon'ble Supreme Court and their orders are awaited. The Commissioner of Intermediate Education has requested the Government to take a decision in the matter and consider giving a purely temporary appointment into aided post to this person till the matter is finally adjudicated by the Supreme Court to avoid further legal complications in the matter.

9. Government after careful examination and in order to comply with the orders of the Hon'ble High Court and since there is no other alternative except to implement the Hon'ble Court orders, hereby permit the Commissioner of Intermediate Education to admit Smt.M.Sreedevi, Junior Lecturer in Mathematics(unaided), Dr. B.R.A.M. Junior College, Tenali, Guntur District into Grant-in-Aid post with effect from 09-12-1994, as a special case, subject to outcome of S.L.P.No.19308 of 2012 pending before the Hon'ble Supreme Court. These orders are applicable to the Writ Petitioner only.

10. The Commissioner of Intermediate Education, Hyderabad shall take further action accordingly.

11. This order issues with the concurrence of the Finance (Expr.HE) Department vide their U.O.No.303/204/Expr.HE/2013, dated 05-03-2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI,  
PRINCIPAL SECRETARY TO GOVERNMENT (SE)

To

The Commissioner of Intermediate Education, A.P., Hyderabad.

Copy to:

Smt.M.Sreedevi, as Junior Lecturer in Mathematics(unaided), Dr.B.R.A.M. Junior College, Tenali, Guntur District through Commissioner of Intermediate Education, A.P., Hyderabad.

The Secretary & Correspondent, Dr.B.R.A.M. Junior College, Tenali, Guntur District through Commissioner of Intermediate Education, A.P., Hyderabad.

The Director of Treasuries & Accounts, Hyderabad.

The District Treasury Officer, Guntur District

The Director of Local Fund Accounts, Hyderabad.

The Additional Advocate-General, A.P.High Court, Hyderabad.

The Finance (Expr.HE) Dept.

SF/SC.

//Forwarded: By order//

SECTION OFFICER